REMARKS

Applicants appreciate the thoroughness with which the Examiner has examined the above-identified application. Reconsideration is requested in view of the amendments above and the remarks below.

Claim objections

The Examiner has objected to claims 4 and 5 because certain informalities. The Examiner states that the setscrew never contacts the blade but instead contacts a flexing wedge (40) that contacts the blade. Applicants concur, and have amended claim 4 to make this correction.

The Examiner has also objected to claim 5 insomuch as claim 5 states the use of multiple taper tipped setscrews. Applicants concur, and have removed this limitation from claim 5.

Rejection under 35 U.S.C. § 102

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Peterson (U.S. Patent No. 2,604,132). Applicants respectfully disagree.

The cutter head in the Peterson design includes blocks 33 tightly held together by screws 34 to clamp the ends of knives 33 severally between adjacent blocks. Peterson, col. 3, ll.6-12; Figs. 1 & 3.

Importantly, the setscrews of Peterson do NOT contact the blades. Peterson teaches the compression of a block structure ("blocks 33 tightly held together") to hold the knife blades in place. "It will be understood that the clamping block structures are spaced from the frame ends only sufficiently to permit placing the knives under some tension." Peterson, col. 3, ll.18-21.

The present invention requires setscrews 6 to be compressed directly against the knife blade. See, Fig. 3. Claim 1 states in pertinent part, "setscrews *in contact with* said at least one blade for pressably securing said at least one blade to said blade retaining plate." Claim 1 (emphasis added). The Peterson clamping block structure cannot meet this limitation. The Peterson block structure secures multiple knife blades, and the setscrews compress the block structure. The knife blades are never in contact with the setscrews. Consequently, Peterson cannot anticipate the present invention. In fact, by using the block structure, Peterson effectively teaches away from having setscrews contact individual blades.

Rejection under 35 U.S.C. § 103

Claims 1 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gifford, et al. (U.S. Patent No. 6,546,833) in view of Milich (U.S. Patent No. 6,003,421), in further view of Scott (U.S. Patent No. 3,720,125), and further in view of Raney, et al. (U.S. Patent No. 6,871,571). Applicants respectfully traverse this rejection.

Gifford teaches a die cutting press for precision cutting of individual part-defining areas from longitudinal and laterally arranged rows of part areas of a relatively thin substrate. Gifford uses an H-shaped wooded member 78 for receiving a metal rule die 80 as its cutting tool. Gifford, col. 6, ll.28-32.

Gifford does not teach or disclose a blade retaining plate for holding individual blades. Gifford's H-shaped wooded member holds a metal rule die cutting piece in its entirety. There is no provision in the Gifford design for holding portions of the metal rule die in the H-shaped wooded member. Consequently, the H-shaped wooded member cannot be considered a retaining plate for multiple individual blades. Importantly, in the preferred design, the blade sections may be replaced individually as needed to maintain sharp cutting edges. Specification, ¶ 26. Gifford's one-piece metal rule die cannot have individual portions

replaced. In Gifford's design, the entire metal rule die must be removed from the H-shaped wooded member, or a separate wooded member and metal rule die must be used.

Gifford uses a very thin metal rule die as a cutting tool. Applicants respectfully submit that this metal rule die is not a cutting blade as taught by the present invention. Gifford's die acts as a cutting tool, but must be supported as a thin metal rule. For the die's own structural integrity, it must be supported at more than one or two setscrew compression points because setscrew compression will deform a thin metal rule die. Consequently, Gifford employs the H-shaped wooded member, which encompasses the metal rule die and provides peripheral longitudinal and lateral support.

Adding setscrew compression to the Gifford design would defeat the purpose of being able to use an extremely thin metal rule die as the cutting tool. Applicants submit Gifford cannot simply introduce setscrew compression for holding its metal rule die without introducing design problems inherent with compression fitting very thin objects. Consequently, the combination of Gifford with Milich is inappropriate and cannot render the present invention obvious.

Similarly, Gifford does not teach, suggest, or require a stripper. There is no structure on the Gifford apparatus to accommodate a stripper, and such a device would require redesign of the Gifford lower portion in order to work properly with the Gifford apparatus. Applicants submit that strippers are well known in the art. However, a stripper cannot be easily introduced in the Gifford design without significant re-design. Moreover, Gifford does not teach or suggest using a stripper for the obvious reason that Gifford is teaching away from its use. Moreover, Gifford is cutting relatively thin, hard substrates, not (comparatively) large, resilient gaskets. Gifford does not require a stripper for this type of material. Also, Gifford's design works on a conveyor belt type of delivery system. A stripper would have the

cuttings fall on the delivery structure or even less advantageously, the substrate pieces themselves, which would inhibit the production flow. Applicants submit that simply knowing that strippers are present in this art does not imply that a stripper design can be used successfully with the Gifford invention, nor does the Gifford invention teach, suggest, or disclose using a stripper. Applicants submit that the combination of Gifford with a stripper design is not a combination that Gifford can readily accommodate. Consequently, such a combination cannot render the instant invention obvious.

Applicants have amended the claims to more clearly define the preferred embodiment over the cited prior art. Specifically, applicants have amended claims 4 and 5 to ensure that the setscrews are in contact with the blade(s) as required by claim 1. Applicants have also amended claim 1 as defined by the instant invention to allow for the replacement of individual blades.

Applicants are not conceding in this application that the claims as they stood prior to amendment are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution and allowance of the claims. Applicants respectfully reserve the right to pursue these prior and other claims in one or more continuation and/or divisional patent applications.

It is respectfully submitted that the application has now been brought into a condition where allowance of the entire case is proper. Reconsideration and issuance of a notice of allowance are respectfully solicited.

Respectfully submitted,

Robert Curcio
Reg. No. 44,638

DeLIO & PETERSON, LLC
121 Whitney Avenue
New Haven, CT 06510-1241
(203) 787-0595

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